

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Document #

**6**

*Seales*

-v-

*Stewart*

U.S.C.A. #

U.S.D.C. #

*08-cv-1171*

JUDGE:

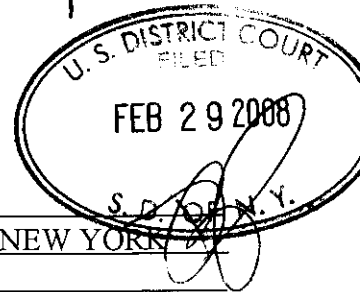
*KMW*

DATE:

*2/29/2008*

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME): THOMAS R. PISARCZYK  
FIRM: U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK  
ADDRESS: 500 PEARL STREET, ROOM 370  
NEW YORK, NEW YORK 10007  
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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the *29th* Day of *February*, 2008.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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*Seibles*  
 -v-  
*Stewart*  
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U.S.C.A. # \_\_\_\_\_  
 U.S.D.C. # 08-cv-1171  
 JUDGE: KMW  
 DATE: 2/29/2008

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 5, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

<u>Date Filed</u>	<u>Document Description</u>
_____	_____
_____	_____
_____	_____
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_____	_____
_____	_____

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 29th Day of February In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232<sup>ND</sup> year.

J. Michael McMahon, Clerk

By \_\_\_\_\_

Deputy Clerk

APPEAL, CLOSED, PRO-SE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-01171-KMW**  
**Internal Use Only**

Surles v. Stewart  
Assigned to: Judge Kimba M. Wood  
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 02/05/2008  
Date Terminated: 02/05/2008  
Jury Demand: None  
Nature of Suit: 360 P.I.: Other  
Jurisdiction: Diversity

Date Filed	#	Docket Text
02/05/2008	<u>1</u>	DECLARATION IN SUPPORT OF REQUEST TO PROCEED IN FORMA PAUPERIS. Document filed by Vara Elizabeth Surles.(jeh) (Entered: 02/13/2008)
02/05/2008	<u>2</u>	COMPLAINT against Martha Stewart. Document filed by Vara Elizabeth Surles.(jeh) (Entered: 02/13/2008)
02/05/2008		Magistrate Judge Kevin N. Fox is so designated. (jeh) (Entered: 02/13/2008)
02/05/2008	<u>3</u>	ORDER DISMISSING CASE AS FRIVOLOUS; Accordingly, the complaint, filed in forma pauperis under 28 U.S.C. 1915 (a) (1) is dismissed as frivolous. 28 U.S.C. 1915 (e) (2) (B) (i). The Court certifies pursuant to 28 U.S.C. 1915 (a) (3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 02/05/2008) (jeh) (Entered: 02/13/2008)
02/05/2008	<u>4</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the complaint be and is hereby dismissed. 28 U.S.C. 1915(e)(2) (B) (i). The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from the Court's order will not be taken in good faith. (Signed by Judge Kimba M. Wood on 02/05/2008) (jeh) (Entered: 02/13/2008)
02/25/2008	<u>5</u>	NOTICE OF APPEAL from <u>3</u> Order Dismissing Case as Frivolous, <u>4</u> Judgment - Sua Sponte (Complaint). Document filed by Vara Elizabeth Surles. (tp) (Entered: 02/28/2008)
02/25/2008		Appeal Remark as to <u>5</u> Notice of Appeal filed by Vara Elizabeth Surles. \$455.00 APPEAL FEE DUE. IFP REVOKED 2/5/08. (tp) (Entered: 02/28/2008)
02/28/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>5</u> Notice of Appeal. (tp) (Entered: 02/28/2008)
02/28/2008		Transmission of Notice of Appeal to the District Judge re: <u>5</u> Notice of Appeal. (tp) (Entered: 02/28/2008)